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6 Attorneys for Plaintiffs

7 UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 PENSION TRUST FUND FOR OPERATING
ENGINEERS; et al.,

10 Plaintiffs,

11 vs.

12 CHEVREAUX AGGREGATES, INC., et al.,

13 Defendants.

Case No.: CV 11-3285 LB

**JOINT CASE MANAGEMENT
STATEMENT AND REQUEST TO
APPEAR TELEPHONICALLY;
[PROPOSED] ORDER THEREON**

Date: August 2, 2012

Time: 10:30 a.m.

Ctrm: 4, 3rd Floor

Judge: The Honorable Laurel Beeler

17 Pursuant to this Court's Minute Order dated May 24, 2012, Plaintiffs and Defendant
18 Martha E. Chevreux, as Trustee for the Chevreux Family Revocable Trust of 1973 and Martha
19 E. Chevreux Revocable Trust of 2004 (referred to herein collectively as "Defendants Chevreux
20 Trusts") hereby submit this Joint Case Management Statement and Request to Appear
21 Telephonically at the Case Management Conference ("CMC") on August 2, 2012.

22 1. Since the time the CMC was held on May 24, 2012, Defendants Chevreux Trusts
23 have provided additional documents to Plaintiffs that are relevant to the determination of whether
24 Defendants Chevreux Trusts are members of the same control group as Defendant Chevreux
25 Aggregates, Inc., and the scope of the assets held by Defendants. Defendants intend to produce
26 additional documents prior to the CMC on August 2, 2012.

27 2. Plaintiffs and Defendant Martha E. Chevreux Revocable Trust of 2004 anticipate
28 entering into a stipulated judgment upon completing review of additional documents.

3. Plaintiffs anticipate dismissing Chevreux Family Revocable Trust of 1973 from this action upon completing review of additional documents.

4. Default was entered against Defendants Chevreux Aggregates, Inc. and Chevreux Concrete, Inc. on August 10, 2011. Docket No. 14. Plaintiffs anticipate filing a motion for default judgment against Defendants Chevreux Aggregates, Inc. and Chevreux Concrete, Inc. upon completing review of additional documents.

5. Counsel for Plaintiffs and Defendants Chevreux Trusts intend to appear at the CMC calendared for August 2, 2012. In an effort to minimize attorneys' fees counsel for the parties respectfully request to appear telephonically. The telephone number for Shaamini Babu, Plaintiffs' counsel, is 415-321-2406. The telephone number for Dennis Murphy, Defendants Chevreux Trusts, is 916-329-3072.

Dated: July 26, 2012

SALTZMAN & JOHNSON LAW CORPORATION

By: /s/

Shaamini A. Babu
Attorneys for Plaintiffs

Dated: Jul 26, 2012

MURPHY AUSTIN ADAMS SCHOENFELD

By: /s/

Dennis R. Murphy
Attorney for Defendant Martha E. Chevreux, as
Trustee for the Chevreux Family Revocable Trust of
1973 and Martha E. Chevreux Revocable Trust of
2004

ORDER

BASED ON THE FOREGOING and GOOD CAUSE APPEARING, counsel for the parties are permitted to appear by phone for the Case Management Conference on August 2, 2012, at 10:30 a.m. The Court will initiate the call to Ms. Babu and Mr. Murphy before their case is called at or after 10:30 a.m.

IT IS SO ORDERED.

Date: July 30, 2012

THE HONORABLE LAUREL BEELER
UNITED STATES DISTRICT COURT JUDGE